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1	EDMUND G. BROWN JR. Attorney General of California
2	Alfredo Terrazas
3	Senior Assistant Attorney General ARTHUR D. TAGGART
4	Supervising Deputy Attorney General State Bar No. 083047
.5	1300 I Street, Suite 125 P.O. Box 944255
6	Sacramento, CA 94244-2550 Telephone: (916) 324-5339
7	Facsimile: (916) 327-8643
8	Attorneys for Complainant
9	BEFORE THE BOARD OF REGISTERED NURSING
10	DEPARTMENT OF CONSUMER AFFAIRS STATE OF CALIFORNIA
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12	In the Matter of the Accusation Against: Case No. 2010- 666
13	LOLA TOKUNBO OBANWO A C C U S A T I O N
14	1198 Coventry Avenue Clovis, CA 93611
15	Registered Nurse License No. 722341
16	Respondent.
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18	Louise R. Bailey, M.Ed., RN ("Complainant") alleges:
19	<u>PARTIES</u>
20	1. Complainant brings this Accusation solely in her official capacity as the Interim
21	Executive Officer of the Board of Registered Nursing, Department of Consumer Affairs.
22	<u>License History</u>
23	2. On or about March 7, 2008, the Board of Registered Nursing issued Registered Nurse
24	License Number 722341 ("license") to Lola Tokunbo Obanwo ("Respondent"). The license will
25	expire on July 31, 2011, unless renewed
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JURISDICTION

- 3. This Accusation is brought before the Board of Registered Nursing ("Board"), Department of Consumer Affairs, under the authority of the following laws. All section references are to the Business and Professions Code ("Code)", unless otherwise indicated.
- 4. Code section 2750 provides, in pertinent part, that the Board may discipline any licensee, including a licensee holding a temporary or an inactive license, for any reason provided in Article 3 (commencing with Code section 2750) of the Nursing Practice Act.
- 5. Code section 2764 provides, in pertinent part, that the expiration of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the licensee or to render a decision imposing discipline on the license.
- 6. Code section 118, subdivision (b), provides that the suspension, expiration, surrender, or cancellation of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary action during the period within which the license may be renewed, restored, reissued or reinstated.

STATUTORY PROVISIONS

7. Code section 2761 states, in pertinent part:

The board may take disciplinary action against a certified or licensed nurse or deny an application for a certificate or license for any of the following:

- (a) Unprofessional conduct, . . .
- (f) Conviction of a felony or of any offense substantially related to the qualifications, functions, and duties of a registered nurse, in which event the record of the conviction shall be conclusive evidence thereof.

COST RECOVERY

8. Code section 125.3 provides, in pertinent part, that the Board may request the administrative law judge to direct a licentiate found to have committed a violation or violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case.

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FIRST CAUSE FOR DISCIPLINE

(Criminal Conviction)

9. Respondent is subject to disciplinary action under Code section 2761, subdivision (f), in that on or about May 20, 2009, in the Superior Court of California, County of Fresno, in the case entitled, *People of the State of California v. Lola Takunbo Obanwo* (Superior Ct. Fresno County, 2009, Case No. F09900871), Respondent was convicted on her plea of no contest of violating Penal Code section 245, subdivision (a)(1) (Assault With a Deadly Weapon), a felony. The circumstances of the crime are that on or about February 9, 2009, Respondent did willfully and unlawfully commit an assault upon V.L. and R.L. with a deadly weapon, to wit, a blunt object. Such crime is substantially related to the qualifications, functions, and duties of a registered nurse.

SECOND CAUSE FOR DISCIPLINE

(Unprofessional Conduct)

4. Respondent is subject to disciplinary action under Code section 2761, subdivision (a), in that Respondent committed acts constituting unprofessional conduct, as set forth in paragraph 9, above.

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PRAYER

WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Board of Registered Nursing issue a decision:

- 1. Revoking or suspending Registered Nurse License Number 722341 issued to Lola Tokunbo Obanwo;
- 2. Ordering Lola Takunbo Obanwo to pay the Board the reasonable costs of the investigation and enforcement of this case, pursuant to Code section 125.3; and,
 - 3. Taking such other and further action as deemed necessary and proper.

DATED: 6/28/10

LOUISE R. BAILEY, M.ED., R.N.

Interim Executive Officer
Board of Registered Nursing
Department of Consumer Affairs

State of California Complainant

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